

1. Please discuss allowing students with disabilities to stay in school until the end of the school year in which they turn 21 as opposed to ending services on the day before their 21st birthdays: Do school districts receive funding for the days between the 21st birthday and the end of the school year? (ADA, high need fund, etc.). If a school district is willing to let a student stay from the 21st birthday to the end of the school year, are there any legal or liability issues? What are districts across the state doing?

Answer: We do not have data on this; however, anecdotally we believe most school districts do allow students to complete either the semester term or the school year in which the student reaches their 21st birthday. No, school districts do not receive funding for these students. Yes, there could be liability issues just like for any other student you have in your buildings; you may want to consult with a school districts lawyer regarding this.

2. Is there a deadline to submit ECSE ARRA Application?

Answer: No

3. If a child is removed from school to be home schooled by the parents and the parents do not want to continue special education services in the home school setting, then they reenter school and want to have special education services, does this start an initial evaluation?

Answer: No, this is a reevaluation. This is distinguishable from a situation in which the school district had exited the student from special education, or a parent had revoked consent for receipt of special education services resulting in an exiting of the student.

4. If a parent takes their child out of special education and later the child is suspended from school, I think they would be treated the same as a regular education student. Does “regarded as” have any bearing on this student? We know they are regarded as a student with a disability, but at parent request the student has been removed from services.

Answer: No, not under IDEA. IDEA contains provisions that protect the school district in such a situation.

5. I would like to verify that a review of existing data is not needed when discontinuing a student's OT/PT related services.

Answer: Correct, no review of existing data is needed when an IEP team decides to discontinue a related services.

6. What was changed on the IEP Form that was revised 09/29/09?

Answer: See SELS message of September 29, 2009, in which we explain the change that involved MAP and MAP-A.

7. On the MAP or EOC is the LOSS (Lowest Obtainable Scale Score) the same as a Level Not Determined?

Answer: No. DESE's Assessment Section explains that the oral reading and paraphrasing result in a LOSS because the student participated in the assessment but the administration was invalid. The student's achievement level is below basic. LND is generated when a student does absolutely nothing that we can score on a test or is absent for all sessions in a content area test or course test.

8. Please clarify when parent consent is required for an FBA

Answer: If additional assessments/tests are being administered; if observations or existing data is being used, no consent is needed.

9. Any news on Career Ladder for this year?

Answer: The governor's budget recommendation to the Legislature is to fund Career Ladder. However, it is early in the budget process and unknown what the final outcome will be.

10. We missed the very first part of the Webinar. Were you talking about IPeg? Is the program up and running?

Answer: I think you mean ePeGS; if so, we are working on this to allow districts to open up their year.....I anticipate a SELS message on this very shortly.

11. I want to know what documentation is required in the student file to document that the decision was made that an evaluation was not necessary.

Answer: The triennial evaluation documentation form.

12. If we hire regular education teachers certified in English or Math, and they take the SE Praxis, are they highly qualified?

Answer: An FAQ will be coming out shortly from DESE on HQ. See State Plan/state regulations page 3 and 4 for specific information on this.

13. At a recent workshop, the group was told that when the decision was made for a reevaluation that a reevaluation was not necessary, the review of existing data form was required to be filled out to support the reevaluation not necessary document. Is this true?

Answer: If they have decided that no reevaluation was necessary then they use the triennial evaluation documentation form. They are not required to fill out a review of existing data form. If they complete the RED form then that initiates the evaluation process.

14. In an MSIP file review. Documents say 80% of files compliant, but seem to remember seeing something about 100% now required. Can't find it now. Help?

Answer: When we monitor, we have used an 80% threshold for determining SYSTEMIC non-compliance (meaning, PERVASIVE non-compliance); at the same time, we have required correction of any individual non-compliance identified. So the 80% was used more to tailor the corrective action. This implied that we were not requiring correction of individual student file non-compliance we found. To address that mixed message, we have revised our shell letters to ensure that everyone is clear about the requirement to correct all individual student file non-compliance.

15. a student transfers in from another state and we re-evaluate while providing comparable services. The student was identified as a student with SLD in reading prior to moving. However, the IEP received indicated services provided in math. So, we provided comparable services. Now the evaluation is complete and the student does not meet eligibility criteria for SLD per MO guidelines; however, it is apparent that the student continues to be in need of sped services what can we do?

Answer: The student is either eligible under state regulations or not.....the student must meet eligibility criteria of one of the categories to be identified as special education.

16. For my clarification... If we are simply using observation and teacher questionnaires as an FBA we do NOT need parent permission?

Answer: Correct.

17. If teachers do not give grades for special education students, do they have to be highly qualified?

Answer: a teacher providing instruction in a core content area, must be highly qualified in that area.

18. In a core area, who would alter the tests? Should it be an agreement between the core teacher and SPED teacher?

Answer: IDEA does not address this; the IEP must be implemented. If the IEP requires modification of a test, that IEP provision must be implemented.

19. Is there information coming out soon about releasing some of the proportionate share monies carryover?

Answer: Yes, a SELS message went out about this.

20. When the IEP team determines the modifications/accommodations for a student and one of those would be to have tests/exams modified or altered for that student, does that give the SPED case manager or SPED teacher in that area to make those changes?

Answer: see answer to #18 above

21. What are the reporting periods for ARRA? When is the next report due?

Answer: FY10 reporting due dates are as follows:

January 1 – March 31, 2010

Districts must have data entered by March 20, 2010

April 1 – June 30, 2010

Districts must have data entered by June 20, 2010

FY11 is still being established.

22. Will the withholds affect ARRA funding?

Answer: No.

23. How are the proposed budget cuts will be affecting DESE?

Answer: The latest withhold resulted in a cut to PAT. There will be little impact from the latest withhold other than that.

24. Do non-public students who are on an ISP need a transition plan? If so, how would we do that?

Answer: Only if as a way to meet the proportionate share expenditure requirement, the school districts was providing transition services to the student.